

MINUTES OF THE WATER BOARD/ SEWER BOARD/ TOWN BOARD MEETING OF  
OCTOBER 9, 2013

PRESENT:	Supervisor	Teresa Dean
	Council	Edward Fairbrother
		Andy Gillette
		Mike Saglibene
	Attorney	Fredrick Ahrens
	Town Clerk	Linda Cross
ABSENT:	Council	Mike Smith

Supervisor Dean called the Town Board meeting to order at 4:30 p.m. and requested those present to participate in the Pledge of Allegiance.

WATER BOARD

Supervisor Dean called the Water Board meeting to order at 4:30 p.m.

PUBLIC HEARING: 4:30 p.m. 2014 Water District #3 Special Assessment

Supervisor Dean called the public hearing to order and read the legal notice duly advertised in the Elmira Star Gazette on October 1, 2013, which allowed and considered public comments regarding the proposed 2014 Water District #3 Special Assessment.

IN FAVOR: None  
OPPOSITION: None  
COMMENTS: None

Since there were no further comments, Supervisor Dean closed the Water District #3 public hearing at 4:31 p.m.

PUBLIC HEARING: 4:30 p.m. 2014 Water District #4 Special Assessment

Supervisor Dean called the public hearing to order and read the legal notice duly advertised in the Elmira Star Gazette on October 1, 2013, which allowed and considered public comments regarding the proposed 2014 Water District #4 Special Assessment.

IN FAVOR: None  
OPPOSITION: None  
COMMENTS: None

Since there were no further comments, Supervisor Dean closed the Water District #4 Public Hearing at 4:32 p.m.

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UNFINISHED BUSINESS

RESOLUTION NO. 174-13  
2014 WATER DISTRICT #3 SPECIAL ASSESSMENT APPROVED

Resolution by: Fairbrother  
Seconded by: Gillette

WHEREAS the Water Board of the Town of Big Flats, Chemung County has completed an assessment schedule in connection with the financing of existing debt service for capital improvements for Water District #3 and filed the same with the Town Clerk of the Town of Big Flats on September 12, 2013, and

WHEREAS the Water Board caused due notice of the completion of said assessment schedule and of the time and place wherein the Water Board would meet and hear and consider any objections to said assessment schedule, to be duly published according to law, and

WHEREAS Water District #3 consists of 477 units with a unit charge for 2014 Water District #3 Special Assessment of approximately \$94.87, and

WHEREAS the Water Board did meet at the Town Hall, 476 Maple Street, Big Flats, New York on October 9, 2013, the time and place specified in said notice and heard and considered all objections to said assessment schedule, now

BE IT THEREFORE RESOLVED the said assessment schedule be and the same is hereby affirmed and adopted as originally proposed and filed in the office of the Town Clerk of the Town of Big Flats, and

FURTHER RESOLVED, that the Town Clerk shall annex to said assessment schedule a warrant which shall be signed by the Supervisor of the Town of Big Flats and added to the Town tax schedule, and countersigned by the Town Clerk, commanding the Tax Collector of the Town of Big Flats to collect from the several persons named therein the sum or sums opposite their respective names and to pay the same to said Supervisor.

CARRIED: AYES: Fairbrother, Gillette, Saglibene, Dean  
NAYS: None ABSENT: Smith

RESOLUTION NO. 175-13  
2014 WATER DISTRICT #4 SPECIAL ASSESSMENT APPROVE

Resolution by: Gillette  
Seconded by: Saglibene

WHEREAS the Water Board of the Town of Big Flats, Chemung County has completed an assessment schedule in connection with the financing of existing debt service for Water District #4 and filed the same with the Town Clerk of the Town of Big Flats on September 12, 2013, and

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RESOLUTION NO. 175-13, 2014 WATER DISTRICT #4 SPECIAL ASSESSMENT APPROVE  
continued

WHEREAS the Water Board caused due notice of the completion of said assessment schedule and of the time and place wherein the Water Board would meet and hear and consider any objections to said assessment schedule, to be duly published according to law, and

WHEREAS Water District #4 consists of 77 units with a unit charge for 2014 Water District #4 Special Assessment of \$156.93, and

WHEREAS the Water Board did meet at the Town Hall, 476 Maple Street, Big Flats, New York on October 9, 2013, the time and place specified in said notice and heard and considered all objections to said assessment schedule, now

BE IT THEREFORE RESOLVED the said assessment schedule be and the same is hereby affirmed and adopted as originally proposed and filed in the office of the Town Clerk of the Town of Big Flats, and

FURTHER RESOLVED, that the Town Clerk shall annex to said assessment schedule a warrant which shall be signed by the Supervisor of the Town of Big Flats and added to the Town tax schedule, and countersigned by the Town Clerk, commanding the Tax Collector of the Town of Big Flats to collect from the several persons named therein the sum or sums opposite their respective names and to pay the same to said Supervisor.

CARRIED: AYES: Fairbrother, Gillette, Saglibene, Dean  
NAYS: None ABSENT: Smith

RESOLUTION NO. 176-13  
PREPAYMENT FOR MEDICO INDUSTRIES APPROVED

Resolution by: Saglibene  
Seconded by: Fairbrother

WHEREAS the purchase of "Build-a-box" shoring equipment from Medico for a cost of \$12,740 plus shipping was approved per Resolution 160-13, and

WHEREAS the order was placed after approval, and

WHEREAS upon placing the order we were appraised that they require payment at delivery, and

WHEREAS a prepayment authorization is required to process a check to enable payment at delivery, and

WHEREAS we received an invoice for equipment at \$12,740.00 and freight at \$575.00 for a total of \$13,315.00, and

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RESOLUTION NO. 176-13, PREPAYMENT FOR MEDICO INDUSTRIES APPROVED  
continued

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to Prepay Medico Industries for invoice # ES00424, dated 9/26/2013, for the amount of \$13,315.00.

CARRIED: AYES: Fairbrother, Gillette, Saglibene, Dean  
NAYS: None ABSENT: Smith

Since there was no further business to come before the Water Board, Supervisor Dean closed the Water Board meeting at 4:36 p.m.

SEWER BOARD

Supervisor Dean called the Sewer Board meeting to order at 4:37 p.m.

PUBLIC HEARING: 4:30 p.m. 2014 Special Assessment for Sewer District #1

Supervisor Dean called the public hearing to order and read the legal notice duly advertised in the Elmira Star Gazette on October 1, 2013, which allowed and considered public comments regarding the proposed 2014 Sewer District #1 Special Assessment.

IN FAVOR: None

OPPOSITION: None

COMMENTS: None

Since there were no further comments, Supervisor Dean closed the 2014 Sewer District #1 public hearing at 4:37 p.m.

PUBLIC HEARING: 4:30 p.m. Scale of Charges Sewer District #1

Supervisor Dean called the public hearing to order and read the legal notice duly advertised in the Elmira Star Gazette which allowed and considered public comments regarding the proposed Scale of Charges District No.1

IN FAVOR: None

OPPOSITION: None

COMMENTS: None

Since there were no further comments, Supervisor Dean closed the Scale of Charges Sewer District #1 public hearing at 4:38 p.m.

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UNFINISHED BUSINESS

RESOLUTION NO. 177-13  
2014 SEWER DISTRICT NO.1 SPECIAL ASSESSMENT APPROVED

Resolution by: Fairbrother  
Seconded by: Gillette

WHEREAS Sewer Board of the Town of Big Flats, Chemung County has completed an assessment schedule in connection with the financing of existing debt service for capital improvements for Sewer District # 1 and filed the same with the Town Clerk of the Town of Big Flats on September 16, 2013, and

WHEREAS the Sewer Board caused due notice of the completion of said assessment schedule and of the time and place wherein the Sewer Board would meet and hear and consider any objections to said assessment schedule, to be duly published according to law, and

WHEREAS Sewer District # 1 consists of 54.8 units with a unit charge for 2014 Sewer District # 1 Special Assessment of approximately \$591.93, and

WHEREAS the Sewer board did meet at the Town Hall, 476 Maple Street, Big Flats, New York on October 9, 2013, the time and place specified in said notice and heard and considered all objections to said assessment schedule, now

BE IT THEREFORE RESOLVED the said assessment schedule be and the same is hereby affirmed and adopted as originally proposed and filed in the office of the Town clerk of the Town of Big Flats, and

FURTHER RESOLVED the Town Clerk shall annex to said assessment schedule a warrant, which shall be signed by the Supervisor of the Town of Big Flats and added to the Town tax schedule, and countersigned by the Town clerk, commanding the Tax Collector of the Town of Big Flats to collect from the several persons named therein the sum or sums opposite their respective names and to pay the same to said Supervisor.

CARRIED: AYES: Fairbrother, Gillette, Saglibene, Dean  
NAYS: None ABSENT: Smith

RESOLUTION NO. 178-13  
SEWER DISTRICT NO. 1 SCALE OF CHARGES APPROVED

Resolution by: Gillette  
Seconded by: Saglibene

WHEREAS the Town of Big Flats Sewer District No. 1 has been created and completed, and

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RESOLUTION NO. 178-13, SEWER DISTRICT NO. 1 SCALE OF CHARGES APPROVED  
continued

WHEREAS THE Town Board has determined that Sewer District No. 1 Scale of Charges are necessary to maintain, use, operate and/or repair the sanitary sewer for the Town of Big Flats, and

WHEREAS a public hearing was duly held on October 9, 2013 whereat all interested parties were duly heard, and

WHEREAS the Scale of Charges needs to be revised to accommodate changes required for the operation of Sewer District No. 1, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and (27) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board adopts the Town of Big Flats Sewer District No. 1 Scale of Charges.

CARRIED: AYES: Fairbrother, Gillette, Saglibene, Dean  
NAYS: None ABSENT: Smith

Since there was no further business to come before the Sewer Board, Supervisor Dean closed the Sewer Board meeting at 4:39 p.m.

TOWN BOARD

Supervisor Dean called the Town Board meeting to order at 4:40 p.m.

CONCERNS OF THE PEOPLE – Judith Kadlec 26 Landau Drive enquired when the court Clerk would get a raise. Supervisor replied HR Company will have results of raises, and should be updated in November individually.

REPORTS

Supervisor Dean stated the following reports for September 2013 have been received and are on file in the office of the Town Clerk:

Town Clerk's Monthly Report, Supervisor's Fund Balance ,  
Youth Department Monthly Report, Department of Public Works  
Monthly Report, Assessor's Monthly Report, Justice Court  
Monthly Report, Community Center's Monthly Report

Supervisor Dean reported:

- Regarding our Auction and Surplus material, will be on the website soon.
- Further detail regarding a new website

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Correction – Meeting minutes of August 21, 2013, there was no meeting on that date it was August 28, 2013, needs to be corrected.

NEW BUSINESS

RESOLUTION NO. 179-13  
2006 MACK TRUCK SPRING REPLACEMENT APPROVED

Resolution by: Dean  
Seconded by: Fairbrother

WHEREAS the Town has to maintain plow trucks in a condition to operate safely to maintain roadways, and

WHEREAS it was determined the 2006 Mack plow truck was in need of replacing the trunnions in order to be maintained in a safe operational mode, and

WHEREAS the 2006 Mack truck was sent to Elmira Auto Spring Works to replace the trunnions, and

WHEREAS once disassembled it was determined that it would be prudent to replace the springs because of their poor condition while the truck was disassembled, and

WHEREAS the total quote to replace the trunnions and springs is \$5633.46, and

WHEREAS for environmental review purposes, the purchasing of equipment repair service is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5(c) (4) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Board ratifies the decision to replace both trunnions and springs on the 2006 Mack truck for a price of Five thousand six hundred thirty three dollars and forty six cents (\$5633.46) at Elmira Auto Spring Works.

CARRIED: AYES: Fairbrother, Gillette, Saglibene, Dean  
NAYS: None ABSENT: Smith

RESOLUTION NO. 180-13  
MONTEREY SHOCK INCARCERATION CORRECTIONAL FACILITY APPROVED

Resolution by: Fairbrother  
Seconded by: Gillette

WHEREAS the Monterey Shock Incarceration Facility was the first of its type in New York State, started over 25 years ago, and

WHEREAS the concept of shock incarceration has proven to be highly successful, with recidivism rates significantly below normal rates, and

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RESOLUTION NO. 180-13, MONTEREY SHOCK INCARCERATION CORRECTIONAL  
FACILITY APPROVED continued

WHEREAS the Monterey Shock Incarceration Facility makes inmate work crews available to all local government entities within Chemung, Schuyler, Steuben, and Tompkins Counties, and

WHEREAS the Town of Big Flats has entered into an agreement with Monterey Shock Incarceration Facility for several years, and

WHEREAS in 2012 the Monterey Shock Incarceration Correctional Facility work crew hours for Chemung County municipalities totaled 10,740 hours which represents a savings to Chemung County taxpayers of \$186,876, now

BE IT THEREFORE RESOLVED that the Town Board of the Town of Big Flats urges the Governor and Department of Correctional Services Acting Commissioner not to close the Monterey Shock Incarceration Correctional Facility, and

FURTHER RESOLVED that a certified copy of this Resolution be sent to Honorable Governor Andrew M. Cuomo, Honorable Senator Thomas F. O'Mara, Honorable Assemblyman Philip Palmesano, Honorable Assemblyman Christopher S. Friend, Honorable County Executive Thomas Santulli and New York State Department of Correctional Services Acting Commissioner Anthony J. Annucci,

CARRIED: AYES: Fairbrother, Gillette, Saglibene, Dean  
NAYS: None ABSENT: Smith

RESOLUTION NO. 181-13  
OCTOBER 9, 2013 COMMUNICATIONS LOG APPROVED

Resolution by: Saglibene  
Seconded by: Gillette

BE IT RESOLVED that the following communications were received, accepted and filed by the Town Clerk of the Town of Big Flats and referred to the appropriate Department Head for information and/or action:

Week of September 16, 2013

TIAA-CREF – RE: Action required to comply with the New York State Pension Mandate.  
*Referred to: Bookkeeper, filed with Town Clerk.*

Mark E. Watts, Home Renovation Service – RE: Invitation to Open House. *Referred to: filed with Town Clerk.*

Recreate NY Smart Home Program – RE: Early Notice and Public Review of a Proposed Activity in a 100-Year Floodplain. *Referred to: Code Enforcement Officer, Commissioner of Public Works, filed with Town Clerk.*



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RESOLUTION NO. 181-13, OCTOBER 9, 2013 COMMUNICATIONS LOG APPROVED  
continued

Chemung County Legislature – RE: Sales Tax Redistribution Agreement. *Referred to:  
Bookkeeper, filed with Town Clerk.*

Office of Information Technology Services – RE: Free State Cyber Security Webinar 10/24.  
*Referred to: filed with Town Clerk.*

Keller McIntyre & Associates – RE: Federal Funding Major Programs and Projects. *Referred  
to: filed with Town Clerk.*

September 24, 2013

Chemung County Department of Aging and Long Term Care – RE: World Health Organization's  
Global Network of Age-Friendly Cities and Communities. *Referred to: Director of Community  
Center, filed with Town Clerk.*

September 26, 2013

Chemung County Department of Law – RE: Sales Tax Redistribution Agreement. *Referred to:  
filed with Town Clerk.*

Chemung County Planning Department – RE: Flood Insurance Rate Map (FIRM)  
Determinations. *Referred to: filed with Town Clerk.*

October 3, 2013

Tioga Downs Proposition #1 Committee – RE: Luncheon Presentation. *Referred to: Town  
Board, filed with Town Clerk.*

CARRIED: AYES: Fairbrother, Gillette, Saglibene, Dean  
NAYS: None ABSENT: Smith

Supervisor Dean recommended that we rescind the motion of approve the minutes of August 21,  
2013, and approve August 28, 2013.

Supervisor Dean made a motion, seconded by Councilperson Fairbrother to approve the minutes  
of August 28, 2013 as presented. All in favor, except Councilperson Smith was absent. Motion  
carried.

Supervisor Dean called for a ten minute break at 4:50 p.m. before continuing with the Budget  
Workshop.

Supervisor Dean reconvened the meeting at 5:00 p.m.

The Town Board reviewed portions of the proposed 2014 budget.

Councilperson Fairbrother made a motion, seconded by Councilperson Gillette to adjourn the  
Town Board meeting at 6:00 p.m. All in favor, motion carried.

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Date approved: \_\_\_\_\_

Linda J. Cross  
Town Clerk